

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EMANUEL DELACRUZ, *On Behalf of
Himself and All Others Similarly Situated,*

Plaintiff,

-against-

CVS PHARMACY, INC.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/6/2023

22-cv-10294 (MKV)

ORDER OF DISMISSAL

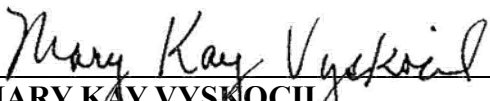
MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the plaintiff stating that the parties have reached a settlement in principle [ECF No. 8]. Accordingly, IT IS HEREBY ORDERED that the above-captioned case is discontinued without costs to any party and without prejudice to restoring the case to this Court's calendar if the application to restore is made by April 10, 2023. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004). All other dates and deadlines are adjourned *sine die*.

The Clerk of Court respectfully is requested to terminate the letter motion pending at docket entry 7.

SO ORDERED.

**Date: March 6, 2023
New York, NY**


MARY KAY VYSKOCIL
United States District Judge